

Express Mail No.: **EL 500 576 834 US**

First Class Mail ( )

Date Mailed: **November 14, 2002**

Serial No.: **10/070,350**

Filed: **February 27, 2002**

Inventor: **Chung et al.**

For: **OSTEONECTIN BASED TOXIC GENE THERAPY FOR THE  
TREATMENT OF CALCIFIED TUMORS AND TISSUES**

*The stamp of the Patent Office hereon may be taken as an acknowledgment of the date stamped of the following:*

(X) Response to Notification of Missing Requirements Under 37 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) with copy of Notification;

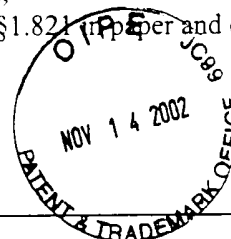
(X) Petition for Extension of Time for (3) months from September 9, 2002 to and including December 9, 2002 with fee;

(X) a Preliminary Amendment under 37 C.F.R. §1.115 with Exhibit A; a marked up version of the amended paragraphs of the specification;

(X) Transmittal of Sequence Listing under 37 C.F.R. §1.821 in paper and computer readable form.

**DT17 Rec'd PCT/PTO 14 NOV 2002**

File No. **9426-023-999** Sender: **GFB/rer**



DATE: 11/14/02

EL500576834US

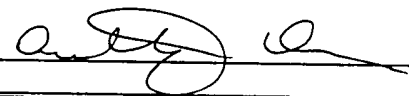
THE EXPRESS MAIL NUMBER OF THE DAY IS: EL 500 576 834 US

THE PERSON TAKING EXPRESS MAIL  
TO THE POST OFFICE IS: ANTHONY ALI

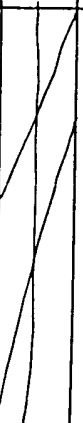
**EXPRESS MAIL CERTIFICATION**

"Express Mail" label No. EL 500 576 834 US Date of Deposit  
11/14/02 I hereby certify that the below-listed papers or fees  
were inserted into a package that was addressed to the  
Assistant

Commissioner For Patents, Washington, D.C. 20231 and was  
deposited by me with the United States Postal Service "Express  
Mail Post Office Addressee" service under 37 C.F.R. 1.10 on  
the date indicated above.

Signature 

Date: 11-14-02

BALDWIN	9426-023-999 <i>WFL</i>	RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 USC. 371 IN THE US DESIGNATED/ELECTED OFFICE (DO/EO/US) DATED 7/9/02; PETITION FOR EXT. OF TIME FROM 9/9/02 TO 12/9/02 (NOTICE DATED 7/9/02); PRELIMINARY AMENDMENT UNDER 37 CFR 1.115 WITH EXHIBIT A; TRANSMITTAL OF SEQUENCE LISTING UNDER 37 CFR 1.821 IN PAPER AND COMPUTER READABLE FORM		<i>h</i>

Express Mail No.: EL 500 576 834 US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of: Leland W.K. Chung, et al.

Application No.: 10/070,350

Group Art Unit: To Be Assigned

Filed: February 27, 2002

Examiner: To Be Assigned

For: OSTEONECTIN BASED TOXIC  
GENE THERAPY FOR THE  
TREATMENT OF CALCIFIED  
TUMORS AND TISSUES

Attorney Docket No.: 9426-023-999

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C.  
371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) dated July 9, 2002, a copy of which is enclosed herewith, attorneys for Applicants hereby submit a Declaration and Power of Attorney executed by all named inventors (in three counterparts comprising 6 pages).

Also submitted herewith in response to the Notification under separate transmittal is a Sequence Listing in Paper and Computer Readable Form together with the necessary Statement under 37 C.F.R. § 1.821.

In addition, a Preliminary Amendment with attached Exhibit A is submitted herewith to amend the specification to recite the Sequence numbers.

Also submitted herewith is a Petition of Extension of Time for (3) three months from September 9, 2002 to and including December 9, 2002.

Please charge any fee, if required, for this Notification, to the Pennie & Edmonds LLP's Deposit Account No. 16-1150. A duplicate of this sheet is enclosed for accounting purposes.

Respectfully submitted,

Date November 14, 2002

*Geraldine F. Baldwin* 31,232  
Geraldine F. Baldwin (Reg. No.)

**PENNIE & EDMONDS LLP**  
1155 Avenue of the Americas  
New York, New York 10036-2711  
(212) 790-9090



## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

U.S. APPLICATION NUMBER NO	FIRST NAMED APPLICANT	ATTY. DOCKET NO
10/070,350		9426-023-999

INTERNATIONAL APPLICATION NO
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PCT/US00/14482

IA FILING DATE	PRIORITY DATE
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05/25/2000

05/28/1999

PENNIE & EDMONDS  
1667 K STREET, N. W.  
WASHINGTON, DC 20006

CONFIRMATION NO. 9987

371 FORMALITIES LETTER



\*OC00000008410486\*

*Declaration due 9-9-02 (6)  
Search report due 9-9-02 2H*

Date Mailed: 07/09/2002

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Oath or Declaration
- Request for Immediate Examination

SYS

JUL 15 2002

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
- APPLICANT MUST PROVIDE:
  - An initial or substitute computer readable form (CRF) of the "Sequence Listing."

- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHRISTINE S WASHINGTON

Telephone: (703) 305-3752

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/070,350	PCT/US00/14482	9426-023-999